

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA

)
) **CASE NO. 1:19CR00106**
)

Plaintiff,

)
) **JUDGE: DONALD C.**
) **NUGENT**
)

vs.

MALIK ABDUL AZIZ

)
)
)
)

Defendant.

) **MOTION TO SUPPRESS**
) **(EVIDENTIARY HEARING**
) **AND FRANKS HEARING**
) **REQUESTED)**

Now comes the defendant, Malik Abdul Aziz, by and through his undersigned counsel, Rodger A. Pelagalli Co., L.P.A., and hereby respectfully requests this Honorable Court to suppress the physical evidence seized because of the State's unconstitutional search of Defendant at 7710 Lawn from W76. All evidence derived from the illegal search must be suppressed as "fruit of the poisonous tree," including but not limited to the illegal search of defendant's person and any evidence that was obtained as a result of that search. See, Wong Sun v. United States, 371 U.S. 484-488 (1963). The reasons for this request are more fully set forth in the attached Memorandum in Support, which is hereby incorporated by reference.

GRANTED: _____ DENIED: X
IT IS SO ORDERED.

Donald C. Nugent
U.S. District Judge

10/2/19